IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 4670 of 2005

Between:

1. M/s.Konaseema EPS Oakwell Power Ltd.,

having its Registered office at 2nd floor, Progressive Towers, 6-2-913/914, Khairatabad, Hyderabad,

represented by its Director.

2. M.S.P.Rama Rao, S/o.Dr.M.V.V.S.Murthy, R/o.Hyderabad.

..... PETITIONERS

AND

1. Govt. of Andhra Pradesh, rep.by its Principal Secretary,

Department of Energy, Secretariat, Hyderabad.
2. Transmission Corporation of Andhra Pradesh, rep.by its

Chairman & Managing Director, Vidyut Soudha, Hyderabad.

..... RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate order or direction more particularly one in the nature of Mandamus declaring the action of the respondents in not Essentiality certificate/clearance certificate to the 1st petitioner company for the import of plant and machinery for the 445 M.W.gas based power project located at Devarapalli village, Kothapet Mandal, East Godavari District at concessional tariff under the project import Regulations, 1986 as illegal, arbitrary, discriminatory and violative of Art. 14 and 19(1)(g) of the Constitution of India and consequently direct the

respondents to issue the fanciful and accordingly direct the Respondent No.1 to issue Essentiality certificate/clearance certificate to the 1st petitioner company forthwith and pass such other appropriate order or orders as this Hon'ble court may deem it fit and proper in the interest of justice.

Counsel for the Petitioners: MR.B.ADINARAYANA RAO

Counsel for the Respondent No.1: G.P. FOR ENERGY

Counsel for the Respondent No.2: Mr.M.Sreeramulu Reddy,

The Court made the following:

ORAL ORDER:

Heard both sides.

2. It is represented by the learned counsel appearing on behalf of the petitioners as well as the learned Government Pleader for Energy appearing on behalf of the first respondent that in view of the proceedings issued by the Principal Secretary to the Government, Energy Department, in Letter No.1216/Pr.I(1)/2004-5, dated 15-03-2005, nothing remains for adjudication in the present writ petition.

3. Accordingly, the writ petition is closed, as redundant, at the stage of admission. However, there shall be no order as to costs.

D.S.R.VARMA, J

15TH MARCH 2005

KRK/ISN

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Prinicipal Secretary, Govt. of Andhra Pradesh,

Department of Energy, Secretariat, Hyderabad.
2. The Chairman & Managing Director, Transmission Corporation

of Andhra Pradesh, Vidyut Soudha, Hyderabad.

3. Two CCs to G.P. for Energy, High Court buildings, Hyderabad (OUT).

4. Two CD copies

5. One CC to MR.ADINARAYANA RAO, learned counsel for the petitioners.

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

W.P.NO.4670 of 2005

15TH MARCH 2005